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6 IN THE UNITED STATES DISTRICT COURT  
7 FOR THE DISTRICT OF ARIZONA

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9 United States of America, ) No. 12-7606M  
10 Plaintiff, )  
11 vs. ) **DETENTION ORDER**  
12 Ernesto Alonso Gutierrez-Vasquez, )  
13 Defendant. )  
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15 In accordance with the Bail Reform Act, 18 U.S.C. § 3142(f), the issue of detention was  
16 addressed at a hearing on November 15, 2012. The Court was informed that the defendant is  
17 subject to other custody and is not eligible for release at this time.

18 The Court finds by a preponderance of the evidence that the defendant is subject to other  
19 custody and should be similarly detained in this case. If circumstances change such that  
20 defendant is no longer in custody in the other matter, defendant shall have leave to request that  
21 the matter of detention be reopened in this case.

22 IT IS ORDERED that the defendant be detained pending further proceedings. The  
23 defendant is committed to the custody of the Attorney General or his designated representative  
24 for confinement in a corrections facility separate, to the extent practicable, from persons  
25 awaiting or serving sentences or being held in custody pending appeal. The defendant shall be  
26 afforded a reasonable opportunity for private consultation with defense counsel. On order of  
27 the Court of the United States or on request of an attorney for the government, the person in  
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1 charge of the corrections facility shall deliver the defendant to the United States Marshal for the  
2 purpose of an appearance in connection with a Court proceeding.

3 IT IS FURTHER ORDERED that should a motion for review/reconsideration of this  
4 detention order be filed, it is counsel's responsibility to deliver a copy of the motion for  
5 review/reconsideration to Pretrial Services at least one day prior to the hearing.

6 IT IS FURTHER ORDERED that if a release to a third party is to be considered, it is  
7 counsel's responsibility to notify Pretrial Services sufficiently in advance of the hearing to allow  
8 Pretrial Services an opportunity to interview and investigate the potential third party custodian.

9 DATED this 16<sup>th</sup> day of November, 2012.

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13 David K. Duncan  
14 United States Magistrate Judge  
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